

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, OCTOBER 19, 2016 AT 6:00 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Tonita Gurulé-Girón

COUNCILORS: David L. Romero – Absent
Barbara A. Casey
David A. Ulibarri, Jr.
Vincent Howell

ALSO PRESENT: Richard Trujillo, City Manager
Casandra Fresquez, City Clerk
H. Chico Gallegos, City Attorney
Juan Montano, Sergeant At Arms

CALL TO ORDER

Mayor Gurulé-Girón called the meeting to order at 6:05 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Howell prayed for guidance in the upcoming National Election and to help us all to continue to do what is right for the community in moving it forward.

APPROVAL OF AGENDA

City Manager Trujillo made a recommendation to remove Business Item #3 and advised that the City needed to negotiate with the County.

Councilor Howell made a motion to approve the agenda with the recommended change of removing Business Item #3. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes for September 13th Special, September 13th Work Session and September 21st, 2016. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Gurulé-Girón informed that there were no appointments or reports at this time.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

Mayor Gurulé-Girón advised that City Clerk Fresquez would read a recognition acknowledging J. Leon Martinez.

City Clerk Fresquez read the recognition on behalf of Mayor of the City of Las Vegas Tonita Gurulé-Girón along with the Governing Body sending deepest condolences to the family of J. Leon Martinez and recognizing the impact he made on everyone in the community.

PUBLIC INPUT

Wid Slick thanked Mayor Gurulé-Girón and Council for their consideration in approving the MainStreet contract. Mr. Slick mentioned that MainStreet had completed many projects; three to one on the return of the City's \$35,000.00 MainStreet contract.

Meredith Britt recommended that the public be allowed to sign up for Public Input a few minutes before the start of the meeting in order for people to have more opportunity to sign up. Ms. Britt added that the Charter Review Committee should be looked into and thought it was time to re-visit the City Charter. Ms. Britt thought that the contract between the City and the Storrie Lake Water's Association was a crucial issue and the public should be informed of its status.

Salvador Higgins expressed that water and air were "life" and that fracking was not a good thing as it would destroy the world and stated that God gave water to everyone. Mr. Higgins felt that the drought was terrible and that funds should be used to locate wells to supply water for everyone and his wishes were that the community would have a sufficient water supply.

Lalo Sanchez asked the Governing Body to consider amending the costs in the sewer ordinance and stated that he had been recommending the change to the ordinance for several years. Mr. Sanchez also brought up the issues of painting crosswalks and suggested installing parking meters to generate revenue to fund minor repairs to the city. Mr. Sanchez also had a concern on increasing the time for Public Input from three to five minutes and that the city streets were also in need of repair.

Mayor Gurulé-Girón stated for the record, that it was a process and the City Manager and his Directors were working towards accomplishing those goals and asked Mr. Sanchez to bear with the City.

Bob Wessely spoke briefly on water topics. The demand for fresh water was down 10%. Mr. Wessely also mentioned that the Raw Water Conveyance System Improvements were removed from the ICIP as per page 4 on the September 13th Special Meeting Minutes however on page 10 included the 1.8 million dollar project and hoped the inclusion was correct. Mr. Wessely spoke about water

storage in that the city's backup storage of wet water was down from the inadequate 1000 to only 200 acre feet which was only about 50 days need and added that he was eagerly looking forward to moving ahead with the two water storage projects. Mr. Wessely also encouraged everyone to vote in the National Election.

CITY MANAGER'S REPORT

City Manager Trujillo reported that Utilities Director Gilvarry would be presenting on utility billing and Community Development Director Annette Velarde would be presenting for the Community Development Department.

City Manager Trujillo informed that the City was moving forward in a very progressive direction, by way of contracts with AFSCME and F.O.P. being finalized and advised the contract between the IAFF and Fire Department was not yet complete but moving in a positive direction. City Manager Trujillo advised that Department Directors were working on consistency within their departments regarding staffing, ordinances and following policy and stated that he was happy with the progress already made. City Manager Trujillo advised that Department Head meetings had been very productive and informed Mayor and Council that he was very pleased with City staff.

Utilities Director Maria Gilvarry gave a detailed overview on the Utility Billing process.

Utilities Director Gilvarry added that a main billing concern was arrears not being collected due to the extended time given to pay the utility bill and explained that with the amount of leeway for payment, it allows the customer to easily fall into the next billing cycle before cut-off therefore making it easier for the customer to fall behind.

City Manager Trujillo advised that the focus now would be to change the ordinances regarding the allowable timeline of payment on the bill, changing the mindset of customers in paying their bill sooner, rather than later and trying to get the customer on schedule to avoid falling behind.

City Manager Trujillo informed that Utilities Director Gilvarry and Utilities staff would be more aggressive on addressing the issues of collections on arrears, placing liens on property for unpaid bills, enforcing ordinances as they should be enforced and educating customers on utility billing. City Manager Trujillo commended Utilities Director Gilvarry and her staff for doing what needs to be done to address the billing issues and advised that they would come back to the Governing Body in 6 months with a status report from the Utilities Department, along with notifying the public through the Las Vegas Optic with the information and of the enforcement of our ordinances.

Mayor Gurulé-Girón asked if Town Hall meetings would be held to inform the public.

City Manager Trujillo advised that they would conduct Town Hall meetings throughout the City to get the information out to the community.

Utilities Director Gilvarry mentioned that this would help our customers and by giving them too much leeway would be allowing them to hurt themselves and added that her desire was to help the customers in keeping up with their bills and not have to worry. Utilities Director Gilvarry reminded that this would not change the fact of working with customers on payment plans with billing issues.

City Manager Trujillo stated that these issues have been hard on the staff due to seeing customers on limited income and falling behind on their bill and having to make the choice of having to pay for food, medication or their utility bill. City Manager advised that the goal is to get the customer to the point of where they are comfortable and not have to worry about tomorrow.

Community Development Director Annette Velarde informed that Jamie Pelz, with the production team of "Making a Killing" movie, filmed in Las Vegas would be making a presentation.

Mr. Peltz informed that his mother was a long time educator and recognized J. Leon Martinez for his accomplishments as an educator as well. Mr. Pelz stated that he had made a promise to the City of Las Vegas of giving back to the community and felt that it was kept by giving donations to several non-profit organizations, churches and schools, put on a small fair and worked with NMHU

with participation from Patty Chavez, Terrance Garcia and Balul Mohammed and added that he would probably be working for them in the future as film makers.

Mr. Pelts informed that they took every opportunity to give back to the community. Mr. Pelz expressed his gratitude to the entire City for their contribution of positive support and looked forward to working in Las Vegas again.

Community Development Director Velarde took the opportunity to acknowledge and thank Event Planner/Film Liaison Vanessa Marquez and Zoning/Licensing Coordinator, Fran Solano for all their efforts and working well together as a team.

Community Development Director Velarde informed that she had nominated the City of Las Vegas for several awards with the New Mexico Hospitality Association and added that the City of Las Vegas had been nominated as a finalist for two awards which included a Marketing Award for the "So Dam Authentic, We can prove it" digital campaign and was up against tough competitors which were Albuquerque, Farmington and Indian Pueblo Cultural Center. Community Development Director Velarde informed that the second nomination was for an Outstanding Attraction award for the City of Las Vegas Rough Rider Museum.

FINANCE REPORT

Finance Director Ann Marie Gallegos presented the Finance Report for the month ending September 30, 2016, advising that revenues for General Fund were at twenty five percent of anticipated revenues and expenditures came in at twenty two percent with an imposed 5% decrease in expenditures in every department with continued monitoring.

City Manager Trujillo mentioned that the City was being proactive and preparing for the worst regarding possible budget cuts at the State level.

Finance Director Gallegos reported that Recreation Department revenue was at twenty percent as expenditures total was at twenty three percent with maintained employee expenditures.

Finance Director Gallegos informed that revenue for the Enterprise Funds was at twenty two percent and expenditures were at eighteen percent. Finance Director Gallegos advised that everyone is thinking conservatively regarding the budget.

Councilor Howell had a concern regarding the Entrepreneurial Network Program deliverable of reporting an external audit and asked how much an external audit would cost.

Mayor Gurulé-Girón advised that she had already discussed that concern with City Manager Trujillo and informed that an external audit would cost between \$3,000 to \$5,000 dollars and stated that she believed the requirement should be changed to a month to month or yearly financial reporting because it was a contractual obligation that was a Legislative requirement. Mayor Gurulé-Girón advised that City Manager Trujillo and Community Development Director Velarde were addressing the issue.

CONSENT AGENDA

1. Approval of Resolution #16-40 Budget Adjustment Resolution.

Resolution 16-40 was presented as follows:

STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
BUDGET ADJUSTMENT RESOLUTION NO. 16-40

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget for fiscal year 2017; and

WHEREAS, said budget adjustments were developed on the basis of an increase in revenues and expenditures, transfers in/or out in various funds; and

WHEREAS, increase/decrease in revenues, expenditures, transfer in, and transfers out to be funded by additional grant funds and;

WHEREAS, the City of Las Vegas is in need of making adjustments to the 2017 fiscal year budget;

WHEREAS, it is the majority opinion of this Council that the budget adjustment meets the requirement as currently determined for fiscal year 2017;

NOW, THEREFORE, the Governing Body of the City of Las Vegas passes this budget resolution for budget adjustments, **PASSED, APPROVED AND ADOPTED THIS _19th_ DAY OF OCTOBER 2016.**

Mayor

ATTEST:

Casandra Fresquez, City Clerk

Reviewed and Approved as to Legal Sufficiency Only:

H. Chico Gallegos, City Attorney

2. Approval of Resolution #16-38, supporting COOP-SP-4-17 (975).

Resolution 16-38 was presented as follows:

**CITY OF LAS VEGAS, NM
RESOLUTION NO. 16-38**

A Resolution Supporting the New Mexico Department of Transportation Municipal Cooperative Agreement/COOP-SP-4-17(957) for the Plan design, Construction management, Construction, Reconstruction, Pavement rehab, Drainage improvements and Miscellaneous construction to various entity streets.

WHEREAS, the estimated cost of the above described is forty nine thousand and ninety three dollars (\$49,093.00).

WHEREAS, the City of Las Vegas' governing body has declared improvements to various entity streets a necessity for the good and well being of citizens of Las Vegas, New Mexico and support cooperative agreement for these funds to accomplish the work; and

WHEREAS, the City of Las Vegas will agree to work in accordance with the funding requirements of the Municipal Cooperative Agreement/COOP-SP-4-17(957) provided it be successful in receiving the funding necessary for these improvements.

NOW, THEREFORE, be it and it hereby is resolved by the governing body of the City of Las Vegas that the cooperative agreement for the above funding be submitted to the New Mexico Department of Transportation, Municipal Cooperative Agreement/COOP-SP-4-17-(957).

PASSED, APPROVED AND ADOPTED this _____ day of October, 2016.

City of Las Vegas

MAYOR

ATTEST:

CASANDRA FRESQUEZ, CITY CLERK

3. Approval of Contract with the City of Las Vegas and Las Vegas First Independent Business Alliance (Entrepreneurial Network Program).

4. Approval of Resolution No. 16-39 for Drinking Water Loan No. 3570-DW for the water tank (Cabin Site) rehabilitation project.

Resolution 16-39 was presented as follows:

Due to length of document, a complete copy of Resolution 16-39 may be obtained at the City Clerk's Office.

5. Approval of Resolution 16-37 Repealing and Replacing Resolution 16-29 City of Las Vegas Meadow City Express' intent to apply for NMDOT Grant 5311.

Resolution 16-37 was presented as follows:

**STATE OF NEW MEXICO
CITY OF LAS VEGAS
RESOLUTION NO. 16-37**

**A RESOLUTION REPEALING AND REPLACING
RESOLUTION NO. 16-29
AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE NEW
MEXICO DEPARTMENT OF TRANSPORTATION TRANSIT AND RAIL
DIVISION FOR A PUBLIC RURAL TRANSPORTATION GRANT**

WHEREAS, the City of Las Vegas Meadow City Express was designated a public rural transportation system in 1995; and

WHEREAS, since that time the City of Las Vegas Meadow City Express has applied for NMDOT Transit and Rail monies to assist with administrative, operating and capital expenses on an annual basis; and

WHEREAS, the City of Las Vegas matches the NMDOT Transit and Rail monies at a ratio and intends to match the monies in the amount of \$116,125; and

WHEREAS, the City of Las Vegas Meadow City Express intends to submit an application for FY 2018 Section 5311 Public Transportation Grant; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Las Vegas, that the City of Las Vegas hereby authorizes the submittal of an application to the New Mexico Department of Transportation Transit and Rail Division for a Section 531 Public Rural Transportation Grant.

PASSED, APPROVED AND ADOPTED by the **Governing Body**, this _____ day of October, 2016.

Signed:

ATTEST:

Mayor Tonita Gurulé-Girón

Casandra Fresquez, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY ONLY:

H. Chico Gallegos, City Attorney

Councilor Casey read the Consent Agenda into the record and made a motion to approve the Consent Agenda as read. Councilor Howell and Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

BUSINESS ITEMS

1. Conduct a Public Hearing and Approval/Disapproval of application requesting a Transfer of Ownership and Location for Inter-Local Dispenser License for on Premise Consumption only and Patio Service submitted by Charlie's Bakery & Café, Inc., Charlie's Bakery & Café, located at 715-017 Douglas Avenue, Las Vegas, NM 87701, License No. 0103.

Councilor Ulibarri, Jr. made a motion to go into Public Hearing. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes
Vincent Howell	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

City Attorney H. Chico Gallegos swore in the individuals, who would be providing testimony on the issue to include Casandra Fresquez and Isaac Sandoval.

City Clerk Fresquez advised that the Alcohol and Gaming Division had reviewed the referenced application and granted preliminary approval and forwarded to the Clerk's Office for Local Option district approval or disapproval of the Liquor License Application and informed that zoning and publication requirements had been met.

Councilor Casey asked if this license would be used for every type of liquor.

City Clerk Fresquez clarified that it was an Inter-Local Dispenser License which would be used for "on premise" dispense of any type of alcohol and would be used at the three (715-017) Douglas Avenue locations.

Councilor Howell asked if Charlie's Bakery & Café had patio service.

Mr. Isaac Sandoval stated that there was no patio service at Charlie's Bakery at the present time.

Mayor Gurulé-Girón asked if the license application requested was consistent with the majority of the businesses in the area.

City Clerk Fresquez explained that the license application requested was consistent with Dick's Liquors and Rialto Restaurant, which were both full liquor licenses.

Councilor Ulibarri, Jr. made a motion to accept the record proper and to close Public Hearing. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Ulibarri, Jr. made a motion to reconvene into Regular Session. Councilor Howell and Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

Councilor Ulibarri, Jr. made a motion to approve application requesting a Transfer of Ownership and Location for Inter-Local Dispenser License for on Premise Consumption only and Patio Service submitted by Charlie's Bakery & Café, Inc., Charlie's Bakery & Café, located at 715-017 Douglas Avenue, Las Vegas NM 87701, License No. 0103. Councilor Casey and Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	Barbara A. Casey	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

2. Approval of Contract between the City of Las Vegas and MainStreet de Las Vegas.

Community Development Director Velarde advised that MainStreet de Las Vegas is a non-profit corporation, whose purpose is to stimulate economic development by protecting and enhancing Las Vegas' historically and culturally significant downtown districts.

Community Development Director Velarde stated that there had been a concern of how MainStreet would be paid and explained that with approval of the Governing Body, the process of submitting payment to MainStreet would be through the process of an open purchase order for the entire amount of the contract. Community Development Director Velarde explained that MainStreet would be paid for services rendered from the start date of the contract to the end date of June 30, 2017.

Councilor Howell made a motion to approve of Contract between the City of Las Vegas and MainStreet de Las Vegas. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	Vincent Howell	Yes
David A. Ulibarri, Jr.	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.

COUNCILORS' REPORTS

Councilor Casey expressed her concern regarding misinformation out in the community which creates a negative perception of City Administration and of the Councilors and stated that she did not appreciate being looked at in such a negative light, because she felt that she was a responsible person, doing the best that she could do to make sound decisions that benefit the community.

Councilor Casey suggested that the City provide weekly information in the Optic about areas of concern and updates of what is going on in the City as well and to be more forthcoming with information to the deserving community and to the Councilors and stated "that a well informed public makes a better community and well informed Councilors make better decisions".

City Manager Trujillo informed that they were getting stories out in the Las Vegas Optic, scheduling staff to report on projects in their departments every Friday on the radio and added that Directors would be giving progress reports with timelines included which would soon be available for Councilors.

Councilor Howell thanked friends, family and community members for their thoughts and prayers during this time of his mother's illness.

Councilor Howell stated that his name was very precious to him and wanted to publicly announce that he did not want anyone using his name in stating that he was supporting one thing or another unless coming to talk to him personally and added that his name was being used as supporting the recent recall attempts and did not want his name used in false accusations. Councilor Howell advised that

discussions take place with the Mayor and City Manager about issues and how they can be resolved and stated that he appreciated his seat as a Councilor where he can voice his concerns, listen to the community and discuss issues with Mayor Gurulé-Girón and City Manager Trujillo. Councilor Howell encouraged the community to talk to their Councilors with concerns since the Governing Body is passionate of what they are doing to help the community.

EXECUTIVE SESSION

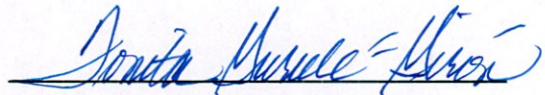
City Manager Trujillo advised that there was no need to go into Executive Session.

ADJOURN

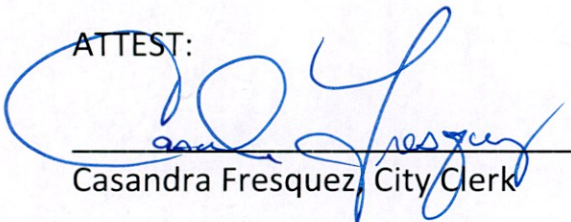
Councilor Casey made a motion to adjourn. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	David L. Romero	Absent

City Clerk Fresquez re-read the motion and advised the motion carried.


Mayor Tonita Gurulé-Girón

ATTEST:


Casandra Fresquez, City Clerk